

1 James J. Foster
jfooster@princelobel.com
2 Aaron S. Jacobs (CA No. 214953)
ajacobs@princelobel.com
3 Thomas R. Fulford
tfulford@princelobel.com
4 PRINCE LOBEL TYE LLP
One International Place, Suite 3700
5 Boston, MA 02110
6 617-456-8000

7 Attorneys for Plaintiff

8 UNITED STATES DISTRICT COURT
9
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 UNILOC 2017 LLC,

13 Plaintiff,

14 v.

15 APPLE INC.,

16 Defendant.

Civil Action No. 5:19-cv-01929-EJD

STATEMENT OF RECENT DECISIONS

Regarding: Dkt. No. 105
Hearing Date: Feb. 9, 2021

Pursuant to Local Rule 7-3(d)(2) and in connection with Uniloc 2017 LLC's ("Uniloc") opposition, Dkt. No. 107, to Apple Inc.'s ("Apple") Administrative Motion for Relief from Protective Order, Dkt. No. 105, Uniloc hereby files this Statement of Recent Decisions.

Apple's co-plaintiff in the antitrust matter, Intel Corporation ("Intel"), recently filed motions to modify the protective orders in three separate litigations involving one of the other antitrust co-defendants, VLSI Technologies LLC. ("VLSI"). In those motions, Intel sought relief similar to the relief that Apple is seeking here, *i.e.*, modification of the protective order so that it could try to use designated information to support Intel and Apple's amended antitrust complaint. The courts in each of those cases decided as follows:

- In *VLSI Technologies LLC v. Intel Corporation*, C19-cv-977-ADA (W.D. Tex), Judge Albright denied Intel's motion. A transcript of the February 1, 2021, hearing before Judge Albright is attached as Exhibit 1. Judge Albright's order denying Intel's motion is on page 17.
- In *VLSI Technologies LLC v. Intel Corporation*, 18-cv-00966-CFC-CJB (D. Del.), Magistrate Judge Burke granted Intel's motion on February 3, 2021. A copy of this order is attached as Exhibit 2.
- In *VLSI Technologies LLC v. Intel Corporation*, 5:17-cv-05671-BLF (N.D. Cal.), Magistrate Judge Cousins denied Intel's motion on February 5, 2021. A copy of this order is attached as Exhibit 3.

On February 5, 2021, Apple filed a Statement of Recent Decision. *See* Dkt. No. 110. In that filing, Apple noted and attached the order from the District of Delaware. Apple also noted, but did not attach any documents relating to, the order from the Western District of Texas. Magistrate Judge Cousins of this District issued his order on February 5, 2021, prior to Apple's Statement of Recent Decision, albeit only by about an hour; it was not noted in Apple's filing.

1 DATED: February 2, 2021

Respectfully submitted,

2 /s/ Aaron S. Jacobs

James J. Foster

3 jfoster@princelobel.com

Aaron S. Jacobs (CA No. 214953)

4 ajacobs@princelobel.com

Thomas R. Fulford

5 tfulford@princelobel.com

PRINCE LOBEL TYE LLP

6 One International Place, Suite 3700

Boston, MA 02110

7 617-456-8000

8 *Attorneys for Plaintiff*